

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

DAVID HOUP,

Plaintiff,

v.

JUDGMENT

No. 5:11-CV-45-FL

CITY OF FAYETTEVILLE;

TOM BERGAMINE, City of Fayetteville

Chief of Police in his official capacity

as Chief of Police; DALE IMAN,

City Manager in his official capacity

as City Manager; and, STACY SWINTON,

Defendant.

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of defendants' motion to dismiss filed February 28, 2011 and plaintiff's notice of voluntary dismissal filed June 6, 2011.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered April 28, 2011, and for the reasons stated more specifically therein, that defendants' motion to dismiss is granted as to each of the plaintiff's claims against defendants City of Fayetteville, Tom Bergamine, and Dale Iman. Further, with filing of plaintiff's notice of voluntary dismissal with prejudice as to defendant Stacy Swinton, and with all defendants now having been dismissed from this action, the plaintiff shall have and recover nothing in this action.

This Judgment Filed and Entered on June 24, 2011, and Copies To:

Laura E. Conner (via CM/ECF Notice of Electronic Filing)

Susanna K. Gibbons (via CM/ECF Notice of Electronic Filing)

Danielle Monet Barbour (via CM/ECF Notice of Electronic Filing)

Kevin Michael Ceglowski (via CM/ECF Notice of Electronic Filing)

June 24, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker
(By) Christa N. Baker, Deputy Clerk